UNITED NATIONS

A

General Assembly

PROVISIONAL

A/45/PV.81
13 September 1991

ENGLISH

Forty-fifth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE EIGHTY-FIRST SESSION

Held at Headquarters, New York,
on Friday, 13 September 1991, at 10 a.m.

President: Mr. de MARCO (Malta)

- Scale of assessments for the apportionment of the expenses of the United Nations [125] (continued)

- Policies of apartheid of the Government of South Africa [34]

  (a) Report of the Secretary-General

  (b) Draft decision

Adoption of the agenda and organization of work [8]

This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be printed in the Official Records of the General Assembly.

Corrections should be submitted to original speeches only. They should be sent under the signature of a member of the delegation concerned, within one week, to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

91-61167/A 5635V (E)

The meeting was called to order at 10.30 a.m.

AGENDA ITEM 125 (continued)

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS (ARTICLE 19 OF THE CHARTER) (A/45/1004/Add.4)

The PRESIDENT: Before turning to the first item on our agenda for this morning, I should like to draw the Assembly's attention to document A/45/1004/Add.4, which contains a letter addressed to me by the Secretary-General informing me that, since the issuance of his communications dated 29 April, 13 May, 31 May and 26 August 1991, Cambodia, Liberia and Sao Tome and Principe have made the necessary payment to reduce their arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

AGENDA ITEM 34 (continued)

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

(a) REPORT OF THE SECRETARY-GENERAL (A/45/1052)

(b) DRAFT DECISION (A/45/L.51)

The PRESIDENT: The second progress report of the Secretary-General on the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa has been circulated in document A/45/1052. In this connection, a draft decision has been issued as document A/45/L.51.

I now call on the Chairman of the Special Committee against Apartheid, Mr. Ibrahim Gambari of Nigeria.

Mr. GAMBARI (Nigeria), Chairman of the Special Committee against Apartheid: The duty of the international community is to encourage the speedy end of apartheid through negotiations. It is in this context that I wish to

(Mr. Gambari, Chairman, Special Committee against Apartheid)

express the deep appreciation of the Special Committee against Apartheid to the Secretary-General for his second progress report on the implementation of the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa.

The report, which covers the period from July 1990 to the end of August 1991, provides an objective assessment of major developments in South Africa and highlights some of the most important problems facing the South African people as it embarks on the process of peacefully ending apartheid.

The Secretary-General eloquently underlines in his report (A/45/1052) that the process that started more than a year ago in South Africa experienced serious difficulties over the last 12 months. In particular, he noted with grave concern that

> "the wave of violence that engulfed the country during the period became a severe test of confidence and a serious obstacle to the evolving political dialogue." (para. 6)

While recognizing that the most basic laws of apartheid were repealed by last June, the Secretary-General observed that

> "many of the concomitant attitudes and practices, as indeed the consequences of those laws, do persist". (para. 8)

He emphasizes that delays in implementation of the measures necessary to create a climate necessary for negotiations,

> "particularly with regard to political prisoners and exiles, the perceived ineffectual response to violence and disclosures of secret funding of organizations led to tensions and a crisis of confidence in the government structures". (para. 8)

(Mr. Gambari, Chairman, Special Committee against Apartheid)

The Secretary-General points out that recent peace initiatives hold the promise that the momentum which started more than a year ago can be restored. He believes that a meeting of all parties concerned to discuss matters relating to the drafting of a new constitution and to transitional arrangements is now at the top of the political agenda and that such a meeting could improve the atmosphere for negotiations and free political activity. However, he calls on the international community to be cautious during the process, which might be relatively lengthy and even vulnerable, and to keep in mind the ultimate common objective, which is the establishment of a united, democratic and non-racial South Africa at the earliest possible time.

The General Assembly, by adopting in December 1989 the consensus Declaration on Apartheid and its Destructive Consequences in Southern Africa, has made a major contribution to the struggle for the eradication of apartheid. That Declaration should continue to serve as a yardstick with which we can assess progress in South Africa and identify acts or omissions that have delayed the peace process, those who are responsible for these delays, and those who attempt to undermine it both inside and outside South Africa.

I take this opportunity to review with members the thrust and objectives of the Declaration and to assess, on the basis of the Secretary-General's report, what has been accomplished until now and what remains to be done. The Declaration encourages the people of South Africa to join together to negotiate an end to the apartheid system and to agree on all measures that are necessary to tranform their country into a non-racial democracy. The

(Mr. Gambari, Chairman, Special Committee against Apartheid)

Declaration provides guidelines for the process of negotiations. It takes the view that

> "the parties concerned should, in the context of the necessary climate, negotiate the future of their country and its people in good faith and in an atmosphere which, by mutual agreement between the liberation movements and the South African regime, would be free of violence." (A/RES/S-16/1, para. 8)

At least five measures were to be taken by the South African regime in order to create the necessary climate for negotiations.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

Twenty-one months after the adoption of the Declaration, and on the basis of the report of the Secretary-General, to what extent have these measures been taken?

First, regarding the unconditional release of all political prisoners and detainees, what appears clear from the report of the Secretary-General is that there has been a long delay in implementing this measure and, according to the liberation movements and many South African organizations, it has not yet been implemented fully.

In this regard, it should be noted that the African National Congress (ANC), decided last year to engage the Government in a discussion of the implementation of these measures and the creation of the necessary climate. The General Assembly commended the ANC for this decision, which led to the Groote Schuur and the Pretoria Minutes in the summer of last year.

According to the South African authorities, 1,145 prisoners claiming political status have been released up till now, and, according to the Human Rights Commission of South Africa, 946 prisoners are still in jail, 160 of whom are being held in the homeland of Bophuthatswana. The ANC notes in this regard that the Government has narrowed the originally agreed guidelines on political prisoners, including unrest-related prisoners. The Pan Africanist Congress of Azania (PAC) reminds us that some of the Sharpeville 6 and the Uppingtion 14 are still in jail.

It appears that, while a large number of political prisoners have been released, hundreds of others are still in jail because the authorities claim that their offences were serious and were not of a political nature. I believe it is imperative that this matter be resolved quickly, so that this

(Mr. Gambari, Chairman, Special Committee against Apartheid)

obstacle to negotiations is removed. The Secretary-General, in paragraph 41 of his report, makes some suggestions on a possible procedure for expediting the release of the remaining prisoners.

The related issue of the return of exiles has also been treated by Pretoria in a dilatory fashion. Out of an estimated 30,000 to 40,000 exiles, relatively few have in fact returned. After several months of protracted and difficult negotiations, the United Nations High Commissioner for Refugees finally signed an agreement with the authorities in Pretoria which will allow the presence of the High Commissioner's Office in South Africa. The Special Committee commended the efforts and achievements of the United Nations High Commissioner in this regard.

The bans and restrictions on organizations and persons have been lifted, but members of organizations who are living abroad still have to go through indemnity procedures. This has particularly affected the external leadership of the PAC.

The armed troops appear to have been largely withdrawn from the townships, except from areas where there is unrest. According to the Congress of South African Trade Unions (COSATU), special forces, including those involved in Angola and Namibia, have been present in some townships, and were in fact implicated in atrocities which have taken place in those particular areas, designated as unrest areas.

While the state of emergency has been lifted, the Internal Security Act has been only partially revised. It still allows detention without trial for 10 days, which, according to the Black Sash, is no guarantee of the safety of the detainee.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

Political trials based on the Internal Security Act, which can be considered political, are still being held in South Africa, although executions of political offenders have indeed ceased.

Thus, as members can see, the overall record is very much mixed. It is unfortunate that several problems still stand in the way of full implementation of the measures necessary to create a climate conducive to negotiations. But even more serious is the fact that the wave of violence that has swept the country has severely disrupted this climate and inhibited free political activity. The Secretary-General pays special attention to this matter. Commenting on violence, he observes that reaction to change has been manifested

> "in a variety of ways, from violent acts by those opposing the democratic transformation of the country or wishing to obtain political advantage prior to negotiations to less overt activities by elements connected with the system. In this respect, the impartiality of the security forces has been called into question and the potential for destabilization by extremist groups remains a cause for concern". (para. 7)

Most political parties and organizations in South Africa commented at length on the extent and causes of violence, as is reflected in the report of the Secretary-General. The Black Sash, for example, referred to the

> "'overwhelming circumstantial evidence of outbreaks of violence being orchestrated, of existing conflicts being used to exacerbate violence, of police partiality'" (para. 61)

(Mr. Gambari, Chairman, Special Committee against Apartheid)

and alleged that

"a programme of internal destabilization has been launched with the aim of weakening the ANC". (para. 61)

COSATU elaborates further on this matter, and underlines

"the failure of the authorities to take decisive action to stop the violence or bring the culprits to book, despite frequent and detailed information supplied to them". (para. 62)

The report of the Secretary-General also reviews initiatives taken to curb the violence, both by the authorities - which, obviously, were not effective - and by religious and business leaders - which, it is hoped, will succeed. The draft national peace accord is expected to be discussed and signed at a convention which is scheduled to meet tomorrow. It is heartening that, despite the most recent flare-up of violence, witnessed in the last few days, the authorities, the ANC and the Inkatha Freedom Party appear still to be committed to the peace process.

I am sure I will speak for all members if I express our strong hope that this initiative will, tomorrow, finally succeed, and that the senseless massacres will end promptly. In this context, I note that COSATU recommends that the international community should monitor the implementation of this accord, and actively work with the National Peace Committee, which will oversee the implementation of the accord.

The Secretary-General points out that the repeal of most of the basic apartheid laws was a most notable development during the period under consideration. Indeed, the Separate Amenities Act, the Group Areas Act and

(Mr. Gambari, Chairman, Special Committee against Apartheid)

the Land Acts have been repealed, and the Population Registration Act has been revised. The authorities indicate that

> "'more than a hundred discriminatory laws and regulations were abolished over the past 12 months'" (para. 73).

This has been a positive development, and has been welcomed by most political parties, movements and organizations in South Africa, and by the international community as a whole. But, as a South African organization indicates in the report,

> "'it is becoming increasingly clear that, while the legal pillars of apartheid have been removed, the practices of apartheid are very much in place'". (para. 79)

Let me put this differently: the repeal of apartheid legislation has not repealed the legacies of apartheid.

As appears in the report, discriminatory practices and exclusionary tactics are still very much the order of the day. Repeal of these Acts have done little to change the daily lives of the black majority. The current land ownership and occupation pattern is entrenched, and no real efforts have been made to redress past injustices.

In this regard, no less than the South African Chamber of Business notes that:

> "'Apartheid has been the cause of historical injustices and the redressing of these will require economic policies that go beyond the repealing of social laws and functional deregulation. This means that socio-economic infrastructure, particularly in the fields of housing and education, should receive the highest priority in future State expenditure programmes'". (para. 87)

(Mr. Gambari, Chairman, Special Committee against Apartheid)

The allocation of 38.2 per cent of the 1991-1992 budget for social spending compared with 36.5 per cent for the previous year can be characterized only as a minuscule step in the right direction. As mentioned in the report of the Secretary-General, persistent socio-economic inequalities coupled with rising expectations of the majority of the South African population could make the social fabric of the country even more fragile and thus impede the process of democratization. It is clear that, as the General Assembly suggests, the private sector will have to play a more important role than it has until now within a comprehensive national programme of redress. It is clear also that the international community will need to come in with a positive and massive programme of assistance to the victims of apartheid.

The present conditions in the sectors of education, employment, land, housing and health in particular are not just appalling; they are indeed tragic. In that context I wish to mention here that the Special Committee against Apartheid took the initiative to organize, along with the United Nations Educational, Scientific and Cultural Organization (UNESCO), a conference on the educational needs of the victims of apartheid, which was held in Paris last June and at which representatives of donor countries and organizations heard from South African educators about the dismal conditions in education and the immediate steps that need to be taken.

In its paragraph 8 the United Nations Declaration set out guidelines for the process of negotiations. I wish to emphasize in that context that the Declaration calls on the parties concerned to negotiate in good faith.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

I should like here to interject my own thoughts regarding the issue of good faith. I wonder how one can detect good faith in the regime when, apart from its repeal of the pillars of apartheid, for a year now it has not managed to contain the violence. Nor has it persuaded the majority of South Africans, or I should say the world at large, that the security forces have acted impartially. The South African regime has delayed the implementation of agreements made with the ANC and has in fact acknowledged secret funding of organizations, after this was disclosed in the press. I also wonder - and probably many other representatives do too: Where is the good faith in the constitutional proposals presented by the ruling National Party? We have all seen those peculiar constitutional proposals whose aim is transparent and whose future, I hope, is doomed. In the search for checks and balances, the National Party proposes a constitution which, if agreed upon and implemented, would be over-checked and totally unbalanced. It is a constitution that would give veto power to the white minority. I do not wish to make further comments about such strange matters as obligatory coalitions, collegial presidencies and other totally undemocratic concoctions. The international community cannot seriously consider that such proposals can advance the process of dismantling apartheid. I only hope that this is a preliminary pre-negotiations stand which will soon be revised better to reflect the principles enunciated in the manifesto and in the United Nations Declaration.

I return to the Declaration and its guidelines. These call first for agreement on the mechanism for the drawing up of a new constitution based, inter alia, on the principles enunciated in paragraph 3 of the Declaration. Reading the report of the Secretary-General one can be encouraged by the fact

(Mr. Gambari, Chairman, Special Committee against Apartheid)

that the position of the authorities, as expressed originally in the manifesto issued by President De Klerk, and the proposals of the ANC and the PAC have much in common and reflect to a large extent the principles enunciated in the Declaration. It seems that the Secretary-General too was encouraged, since his report was prepared by the end of August, before the National Party issued its latest proposals. It appears now that our optimism was rather premature.

The Declaration also provides for an agreement on transitional arrangements and modalities for the process of drawing up and adopting a new constitution and for the transition to a democratic order, including the holding of elections. The report notes that there is a divergence of views on the machinery for the drawing up of a new constitution. While a multi-party conference is seen by the ANC and others as a first step towards an elected assembly which would draft the constitution, Pretoria seems to have different views.

There is also divergence in the positions regarding transitional arrangements during the negotiations. What is important, it seems to me, is that the process should be totally democratic, ensuring that the National Party does not play the roles of negotiator and of referee at the same time. As the Secretary-General implies, there are democratic forces in the country which can inspire general confidence and which can play an important role in the transition period. We can only express our strong hope that a meeting of all parties concerned, where all matters will be fully discussed and agreed upon, will be convened as soon as possible. As envisaged in the Declaration, the international community can play a role in ensuring the successful transition to a democratic order.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

Turning now to the Programme of Action, it appears from the report of the Secretary-General that while the international community has remained actively seized of the issue of a political resolution of the South African question and has continued to provide support to the opponents of apartheid, there have been serious departures from the international consensus on the need for the non-relaxation of existing measures aimed at applying pressure to ensure a speedy end to apartheid. As the Secretary-General notes, the process that started in South Africa may be relatively lengthy and vulnerable. It is for that reason that the Special Committee has cautioned those members of the international community that appear to be over-optimistic in their assessment of the developments in South Africa not to take hasty measures that could be counter-productive with respect to the process.

As the Secretary-General suggests,

"encouragement, pressure and assistance would need to be suitably applied as the process unfolds, bearing in mind that the ultimate objective is the establishment of a non-racial democracy in South Africa". (para. 14)

I hope that advice by the Secretary-General is seriously taken into account by all Member States, because it is clear from the report of the Secretary-General that, while some progress has been made over the last 12 months, the achievement of the final objective is far from being in sight. The road is still littered with serious obstacles and dangers.

The international community has made a commitment to see that apartheid is eradicated and that South Africa adopts a new constitution guaranteeing a united, non-racial democracy. I am sure the international community will keep

(Mr. Gambari, Chairman, Special Committee against Apartheid)

that commitment. I very much hope that when, at the forthcoming forty-sixth session of the General Assembly, we debate at length the item "Policies of apartheid of the Government of South Africa" the situation will have improved in that country and negotiations will have finally started.

Finally, the pace of change in South Africa lags behind the expectations of the opponents of apartheid inside and outside the country. It must therefore be the urgent responsibility of the international community to bring the pace of change in South Africa into line with the rapid global change in favour of democracy and respect for human rights and human dignity. The General Assembly is not in the business of rewarding or praising any regime. But it is in the business of promoting the implementation of the principles and purposes enshrined in the United Nations Charter and the observance of the Universal Declaration of Human Rights.

It is for those reasons that the Secretary-General, the Special Committee against Apartheid and all members of the Assembly will continue to monitor closely the developments in South Africa over the next three months. I am confident that we will, in concert, strengthen the process in South Africa of eradicating apartheid at the earliest possible time and of creating a non-racial democratic society in that country.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

In conclusion, I recommend that the General Assembly adopt draft decision A/45/L.51, in which it will take note with appreciation of the report of the Secretary-General, and decide to consider it further at the forty-sixth session. The draft decision will also request the Secretary-General to continue to promote all efforts leading to the eradication of apartheid through genuine negotiations, to monitor developments in South Africa and to submit to the General Assembly during the course of next year, as appropriate, a report on further progress in the implementation of the Declaration.

The PRESIDENT: The Assembly will now take a decision on draft decision A/45/L.51.

May I take it that the Assembly decides to adopt draft decision A/45/L.51?

The draft decision was adopted.

The PRESIDENT: The Assembly has thus concluded its consideration of agenda item 34.

AGENDA ITEM 8 (continued)

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

The PRESIDENT: I should like to inform representatives that the consultations I initiated last year regarding the revitalization of the work of the United Nations are nearing completion. As a result, I believe I shall be able to submit for the consideration of the General Assembly the text of a draft resolution and draft decision which will reflect the consensus of Member States on the need to increase the effectiveness of the Assembly in organizing its work, thus enhancing its relevance and its ability to play the role envisaged for it under the Charter of the United Nations.

(The President)

In order to enable the Assembly to consider the proposals emanating from consultations, it will be necessary to reopen consideration of agenda item 117 on the review of the efficiency of the administrative and financial functioning of the United Nations.

May I take it that the Assembly decides to reopen consideration of agenda item 117?

It was so decided.

The PRESIDENT: May I also take it that the Assembly wishes to consider this item directly in plenary meeting?

It was so decided.

The PRESIDENT: I should also like to inform members that it is my intention to circulate the text of the draft resolution and draft decision as soon as possible. However, I wish to point out that the basic text has been available to all Member States since mid-August and has been the subject of extensive discussions by regional groups and interested delegations.

The final text will be available after I conclude my last round of consultations today. Unfortunately, I cannot indicate with certainty the exact time, because that depends on how promptly representatives confirm their acceptance of the draft resolution and draft decision.

Of course, appropriate allowance has to be made for the processing of the documents in all languages. In any case, delegations will receive the final text issued as an official document before the General Assembly meeting on Monday morning.

The Assembly will consider agenda item 117 at the next plenary meeting of the General Assembly, on Monday, 16 September, as the last item in the morning.

The meeting rose at 11.05 a.m.

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A/45/PV.82
17 September 1991

ENGLISH

Forty-fifth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE EIGHTY-SECOND MEETING

Held at Headquarters, New York,
on Monday, 16 September 1991, at 10.30 a.m.

President: Mr. de MARCO (Malta)

- Scale of assessments for the apportionment of the expenses of the United Nations (Article 19 of the Charter)

- Programme of work

- Question of Palestine [23]

- The situation in Central America: threats to international peace and security and peace initiatives [28]

- Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security [42]

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91-61175/A 5469V (E)

- Question of Cyprus [43]

- Comprehensive review of the whole question of peace-keeping operations in all their aspects [76]

- Crime prevention and criminal justice [100]

- Programme budget for the biennium 1990-1991 [118]

- Iraqi aggression and the continued occupation of Kuwait in flagrant violation of the Charter of the United Nations [153]

- Financing of activities arising from Security Council resolution 687 (1991): other activities [156 (b)]

- Review of the efficiency of the administrative and financial functioning of the United Nations [117]

- Concluding address by the President

- Minute of silent prayer or meditation

- Closure of the forty-fifth session

The meeting was called to order at 10.30 a.m.

AGENDA ITEM 125 (continued)

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS (ARTICLE 19 OF THE CHARTER) (A/45/1004/Add.4)

The PRESIDENT: Before turning to the first item on our agenda this morning, I should like to bring to the attention of representatives that since the issuance on Friday, 13 September 1991, in provisional form, of document A/45/1004/Add.4, containing a letter addressed to me by the Secretary-General in which he informed me that Cambodia, Liberia and Sao Tome and Principe had made the necessary payments to reduce their arrears below the amount specified in Article 19 of the Charter, I have been informed that Gambia has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

The final version of document A/45/1004/Add.4, which was circulated this morning, reflects that situation.

I should like to remind delegations that, under Article 19 of the Charter,

"A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years".

May I take it that the General Assembly duly takes note of that information?

It was so decided.

PROGRAMME OF WORK

The PRESIDENT: Before prceeding with the closure of the forty-fifth session the Assembly will consider the items retained on its agenda pursuant to decision 45/455 cf 21 December 1990. The Assembly will also consider a sub-item which, by its decision 45/402 B of 20 April 1991, the Assembly decided to include on the agenda of the present session.

AGENDA ITEM 23 (continued)

QUESTION OF PALESTINE

The PRESIDENT: The Assembly will turn first to agenda item 23, entitled "Question of Palestine".

Members may recall that on this item the Assembly adopted resolutions 45/67 A, B and C, 45/68 and 45/69, all of 6 December 1990. As members know, the item on the question of Palestine has been included on the provisional agenda of the forty-sixth session of the General Assembly.

May I take it that the Assembly considers that discussion of this item at the present session is concluded?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 23.

AGENDA ITEM 28 (continued)

THE SITUATION IN CENTRAL AMERICA: THREATS TO INTERNATIONAL PEACE AND SECURITY AND PEACE INITIATIVES

The PRESIDENT: Members may recall that on this item the Assembly adopted resolution 45/15 of 20 November 1990. As members know, the item on the situation in Central America has been included on the provisional agenda of the forty-sixth session of the Assembly.

(The President)

May I take it that the Assembly considers that the discussion of this item at the present session is concluded?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 28.

AGENDA ITEM 42 (continued)

ARMED ISRAELI AGGRESSION AGAINST THE IRAQI NUCLEAR INSTALLATIONS AND ITS GRAVE CONSEQUENCES FOR THE ESTABLISHED INTERNATIONAL SYSTEM CONCERNING THE PEACEFUL USES OF NUCLEAR ENERGY, THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND INTERNATIONAL PEACE AND SECURITY

The PRESIDENT: Members may recall that on 21 September 1990 the Assembly decided to include this item on the agenda of the forty-fifth session of the General Assembly and that on 14 December 1990 it further decided to defer consideration of the item to a later date during this session and to include it on the provisional agenda of the forty-sixth session.

We have thus concluded our consideration of agenda item 42.

AGENDA ITEM 43

QUESTION OF CYPRUS

The PRESIDENT: Members may recall that on 21 September 1990 the Assembly decided to include this item in the agenda of the present session but deferred a decision on the allocation of the item to an appropriate time during the session.

It is my understanding that it would be desirable to defer consideration of this item to the forty-sixth session of the General Assembly.

May I take it, then, that it is the wish of the Assembly to defer consideration of this item and to include it on the draft agenda of the forty-sixth session?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 43.

AGENDA ITEM 76 (continued)

COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS

The PRESIDENT: Members may recall that the Assembly adopted resolution 45/75 of 11 December 1990. As members know, the item has been included in the provisional agenda of the forty-sixth session oof the Assembly. May I take it that the Assembly considers that discussion of this item at the present session is concluded?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 76.

AGENDA ITEM 100 (continued)

CRIME PREVENTION AND CRIMINAL JUSTICE

The PRESIDENT: Members may recall that the Assembly adopted resolutions 45/107 to 123 and decision 45/428 of 14 December 1990. As members know, the item on crime prevention and criminal justice has been included on the provisional agenda of the forty-sixth session of the Assembly.

May I take it that the Assembly considers that discussion of this item at the present session is concluded?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 100.

AGENDA ITEM 118 (continued)

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

The PRESIDENT: Members may recall that the Assembly adopted resolutions 45/248 A and B, 45/249, 45/250 A to C, 45/251 and 45/252 A to C, of 21 December 1990, and decision 45/456 of 3 May 1991. As members know, this item has been included on the provisional agenda of the forty-sixth session of the Assembly.

May I take it that the Assembly considers that discussion of this item at the present session is concluded?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 118.

AGENDA ITEM 153

IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

The PRESIDENT: Members may recall that on 21 September 1990 the Assembly decided to include this item on the agenda of the forty-fifth session of the General Assembly.

(The President)

It is my understanding that it would be desirable to defer consideration of this item to the forty-sixth session of the General Assembly.;

May I take it that it is the wish of the Assembly to defer consideration of this item and to include it on the draft agenda of the forty-sixth session?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 153.

AGENDA ITEM 156 (continued)

FINANCING OF ACTIVITIES ARISING FROM SECURITY COUNCIL RESOLUTION 687 (1991)

(b) OTHER ACTIVITIES

The PRESIDENT: Members may recall that on 29 April 1991 the Assembly decided to include this sub-item on the agenda of the forty-fifth session of the General Assembly.

It is my understanding that it would be desirable to defer consideration of this sub-item to the forty-sixth session of the General Assembly. May I take it that it is the wish of the Assembly to defer consideration of this sub-item and to include it on the draft agenda of the forty-sixth session?

It was so decided.

The PRESIDENT: That concludes our consideration of sub-item 156 (b).

AGENDA ITEM 117 (continued)

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

The PRESIDENT: As representatives know, during these past months I have carried out extensive consultations regarding the revitalization of the work of the General Assembly. I did so in the awareness of the unique role that the General Assembly, with its almost universal membership, can play in

(The President)

the conduct of international relations at a time when developments in this field have opened up new challenges and opportunities. I encountered widespread support and encouragement as I continued to expand these consultations to the entire membership of the United Nations.

In pursuing this initiative I was assisted by many Permanent Representatives and the Chairmen of the Main Committees and the Advisory Committee on Administrative and Budgetary Questions, and, in particular, by the Permanent Representative of Yugoslavia, Ambassador Darko Silovic. All generously extended to me their full cooperation.

In many respects the ideas and suggestions put forward for consideration by Members were not entirely new. There is already in existence a body of General Assembly resolutions and decisions encouraging rationalization, revitalization and improvement of working procedures for the purpose of enhancing the effectiveness of the Assembly, its relevance and its capability to fulfil the role envisaged for it under the United Nations Charter.

It is therefore incumbent on the Assembly and, by implication, on each one of us, to examine these provisions with the utmost care and imagination in order to apply to the work of the Assembly those measures which could contribute to making it more effective and more relevant in the context of a rapidly changing international reality.

Every single representative I have consulted has echoed agreement that the work of the Assembly must be revitalized, that it is essential for Member States to be secure in the knowledge that any one of them should be able to bring to the Assembly's attention any matter that is of concern to them.

(The President)

The consultations in which all of us have had the opportunity to participate have extended over the entire period of my presidency. I believe that great strides have been made towards formulating a number of recommendations, the implementation of which could have the desired effect of improving the work of the Assembly and increasing its capability for effective action. I feel strongly that the momentum of these important consultations should not be lost, but continued in a systematic, comprehensive manner.

We have during this presidency tried to ensure that a balance exists between the General Assembly, the Security Council and the Secretariat as principal organs of the United Nations. As the Secretary-General aptly puts it in his annual report,

"it is not merely an issue of the internal working of the Organization; it bears on the guardianship of peace exercised by the United Nations." (A/46/1, p. 20)

Therefore, taking into account the discussions I have had with the Chairmen of regional groups and other representatives, I should like to propose that the Assembly decide to include on the draft agenda of the forty-sixth session the item entitled "Revitalization of the work of the General Assembly." There being no objection, it will be so decided.

It was so decided.

The PRESIDENT: We have thus concluded consideration of agenda item 117.

CONCLUDING ADDRESS BY THE PRESIDENT

The PRESIDENT: Bringing to a conclusion the forty-fifth session of the United Nations General Assembly carries with it a measure of satisfaction that the United Nations has passed during the last 12 months a credibility test after living through agonizing decisions at a time of a renewed faith in peace, justice and freedom.

Living the Charter of the United Nations, inspired by the tragedies of a war, the consequences of which have perhaps only now ended, is in itself a demanding task.

The Assembly has tried, during this forty-fifth session, to understand itself and its role in an international scenario which has revolutionized the global situation.

During the course of the last 12 months the United Nations took one of the momentous decisions of its forty-five-year history.

Security Council resolution 678 (1990) was a far-reaching decision. It played a vital role in the liberation from occupation of one of the Organization's long-standing Members. It reaffirmed the central role that the United Nations can, and should, play in the conduct of international relations. It underlined our collective determination to ensure that in a new world order, free from the constraints of super-Power confrontation, it will be the strength of law and not the law of strength that will prevail.

Few will deny that the adoption of Security Council resolution 678 (1990) was a most difficult and painful decision to take. Ours is an Organization dedicated to peace and to the peaceful settlement of disputes. Wisdom and experience teach us that sometimes it is necessary to take up arms in the defence of peace. Yet taking up arms is in one respect also a sign of

(The President)

failure - the failure to find alternative, non-violent means of solving our differences.

This Assembly, in terms of Article 11 of the Charter, in considering the general principles of cooperation in the maintenance of international peace and security, may deem it proper to examine the circumstances and the mechanisms required in the use of armed force, bearing in mind the principle of proportionality and humanitarian aspects involved.

The General Assembly may make recommendations in regard to such principles both to its members and to the Security Council. It is a problem requiring the sensitivity of members, dictated by the necessity to avoid appeasement in the face of aggression and, at the same time, avoid war-mongering noises which lead to confrontational positions precipitating the use of force.

The General Assembly, within this context, and through its clarity of thinking, has to avoid double-standard approaches where circumstances, both present and future, may lead to situations which may harm the credibility of the Organization.

In its involvement in troublesome missions, the United Nations is giving encouraging signs that the painstaking method of persuasion and diplomacy can also achieve results.

The latest developments regarding Cambodia are the clearest cases in point.

The Secretary-General's efforts on Cyprus may have lately been giving promise of measured progress.

Tomorrow our Organization will be enriched by the admission of seven new members. In the case of five of them - the Democratic People's Republic of Korea and the Republic of Korea, as well as the three Baltic States - the

(The President)

process of patient diplomacy, the thrust of events and a realistic approach have been effective in bringing these countries to the stage where they can take their rightful place among the community of nations.

We also cannot fail to reflect that these very days the Secretary-General is involved in what will, hopefully, be the final steps of his persistent and tenacious quest for a resolution of the hostage problem in Lebanon.

In our reviewing the achievements of our Organization in the recent past, related considerations arise. We should reflect that, besides the encouraging developments in the international scene, there are some persistent failures.

There is the failure to launch an effective process for a settlement of the Middle East problem, in spite of the many continuing and laudable efforts in this direction. The Middle East problem has a dimension which goes far beyond the immediate issue of the Arab-Israeli conflict.

There is the equally serious failure to launch a comprehensive and meaningful North-South dialogue. While some parts of the world are achieving political freedom, many parts of the world are seeing that whatever freedom they achieved through the decolonization process, in which our Organization was deeply involved, is being jeopardized by poverty, underdevelopment and fratricidal strife.

The elimination of apartheid in South Africa, though making progress, is still turning out to be more difficult than most of us would have thought.

Problems and danger points persist in the various regions of the globe.

I believe that in many instances our Organization may not be putting all of its many resources at the disposal of the international community in the search for solutions to outstanding problems.

(The President)

I am thinking in particular of the greater role that the General Assembly of the United Nations can, and should, play in the conduct of all aspects of international relations. I am also thinking of the limited impact that our Organization still has on issues relating to economic and social development at both the national and the global levels - this in spite of the wealth of organs and institutions, ranging from specialized agencies to expert bodies, and the considerable resources which it has available for this purpose.

During the tenure of my presidency of the General Assembly I made it a primary objective to generate thinking on the revitalization process of this Assembly. This was done in the firm conviction that the recent developments in the world order have created a unique opportunity to unleash the vast potential for deliberation and decision-making that has, to a certain extent, lain dormant in our Assembly for over four decades.

I believe in a second-generation United Nations, a United Nations rooted in the principles and aspirations which went into its foundation 45 years ago, but taking nourishment from the breath-taking developments in international relations that have been occurring in recent years and have gathered even greater momentum over the last few months.

The General Assembly can, and should, be at the heart of these developments. It is the only principal organ under the Charter in which not only are all members equal, but in which all members are permanent members. It is the organ which has both the authority and capacity to deliberate on all matters which affect international relations. It is the unique forum where issues can be considered in their interrelated aspects, where all parties to a problem can be consulted simultaneously and where the process of decision-making could be complemented by an effective process of implementation.

(The President)

It is important that a balanced institutional relationship be maintained within and between the principal organs of the Ornanization, including the General Assembly, the Security Council and the Secretariat. I find confirmation of this thinking in the Secretary-General's report that this

"is not merely an issue of the internal working of the Organization; it bears on the guardianship of peace exercised by the United Nations". (A/46/1, p. 20)

Our Assembly has for many years suffered the debilitating effect of a confrontational world order which was inimical to its essential vocation for proper deliberation and collective decision-making. For many years we have spoken over each other's heads, rather than to each other's minds. For many years we have adopted decisions, many even by consensus, some of which none of us ever expected or intended to see implemented. For many years - too many years - the annual sessions of the Assembly became a ritual procedurally intensive for the first three months and then performing on a sporadic basis for the rest of the year, not always with direct relevance to what was actually happening in the world outside.

None will contest that the time for change has arrived but that change has not yet really taken place. In the intensive consultations conducted during the last 12 months over the question of the revitalization of the General Assembly, I have identified three areas where major reform is essential in order to fully exploit the Assembly's basic democratic structure. The essential object of my consultations was to make the Assembly both relevant and efficient, since efficiency without relevance may, in my view, be a retrograde step.

(The President)

First, we must make better use of and, where necessary, adapt existing internal structures and procedures. This is needed to make them reflect the role of the Assembly to be present and active in all global issues. The Assembly has to live up to the responsibilities entrusted to it by the Charter in order that it be relevant.

Secondly, we must take a close look at the decision-making process and its follow-up. This is needed to give both meaning and authority to the Assembly's deliberations, and hence to make it efficient.

Thirdly, we must improve the relationship between the work of the Assembly and that of the other parts of the United Nations system, including the Secretariat. This is needed to maintain the centrality of the General Assembly as envisaged in the Charter. It is also needed to ensure that the total resources of the United Nations system are brought to bear in a harmonized and effective fashion in an effort to resolve international problems.

The President of the General Assembly not only presides over and represents the General Assembly but has, in my view, the responsibility to bring it and its decisions close to the peoples in those areas where the United Nations is needed most. Early in the new year, the time when our Organization was so deeply concerned with the emergency which had arisen in the Gulf, I visited the camps in the occupied territories and in Jordan. It was important to assure the Palestinian refugees that the world community still cared deeply about their plight both in its political as well as in its social and humanitarian aspects. It was essential to be close in those difficult days to the Commissioner-General and to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in their dedicated service to the Palestinian refugees and in defence of human rights.

(The President)

On the way to Jerusalem there is a cemetery where members of the United Nations peace-keeping force who have died in the performance of their duties are buried. I stood by the graves of those soldiers and I felt that the General Assembly was with me. Last Friday in Lebanon another soldier of the United Nations peace-keeping force gave his life while carrying out his duties. To date, over 700 of them have lost their lives in the service of the United Nations. Theirs is a martyrdom in the service of peace.

In the demilitarized zone between Iraq and Kuwait there are outposts manned by the forces of the United Nations Iraq-Kuwait Observation Mission. The heat was intense when I visited the men of different nationalities manning the posts. It is time to consider the quiet dedication which is already inspired by our Organization and which can so enrich the future of a second-generation United Nations. Reflecting on the unity of purpose guiding the soldiers of peace from diverse parts of the globe, one sees the embryo of those forces which the Charter envisages for the maintenance of peace and security.

As President of the Assembly, I was in Addis Ababa, Ethiopia, on 21 June 1991, in time to witness the early stages of the resurgence of that troubled country from the strife of civil war. In a visit to the refugees camps of Teferi Ber I came face to face with a striking instance of one of the bitterest tragedies of our time - the hunger refugees, with their untold and often apparently irremediable sufferings.

Here again, in my meetings with United Nations officials from the United Nations High Commissioner for Refugees (UNHCR) and other organizations, I experienced another dimension of the personal dedication and commitment which the United Nations has such tremendous capacity to generate: the unknown heroes of today, young men and women - including many from diverse

(The President)

non-governmental organizations - who are dedicating the best years of their lives to the service of those who, for many, may appear to be forgotten by humanity.

In this context, I should like specifically to mention - in this twentieth year of operation, further to a 1970 resolution of the General Assembly - the competence and commitment of the 2,000 United Nations volunteers, specialists and field workers currently serving in more than 100 developing countries. I intend making a special reference to this in a message to the Third Intergovernmental Meeting on Volunteers due to take place later this year in Kathmandu.

It is a sad indictment of our world of savage contrasts between wealth and poverty that the question of refugees, victims of natural as well as man-made disasters, has to figure so prominently in the work of our Organization. I came across another instance of this situation in my own country and in Italy, in August, with thousands of Albanian refugees - refugees not from political circumstances in a country which has with courage taken up the road to democracy, but from a very difficult economic situation.

Undoubtedly our Organization has the set task of enlarging its already extensive experience and commitment in this field, especially in relation to those who do not fall within the legal definition of refugees under existing international conventions. This is a matter which I have taken up with the Secretary-General as well as with UNHCR. I am most encouraged with their responses as well as with the already expressed intention of many delegations to take up this matter as a priority item during the forthcoming session of the Assembly.

(The President)

The past year has been yet another year of major international developments and it was a gratifying opportunity to bring the Assembly's presence to bear upon some of these important developments. I was in Pyongyang and Seoul shortly before the two Koreas applied for membership of our Organization. I was also in Kiev during the last days of the dramatic events in the Soviet Union in late August.

A visit to Ukraine brings foremost another major global problem of our time - that of a deteriorating environment. In looking at the disaster of Chernobyl, I reflected - as I had earlier done amidst the raging fires of the Kuwaiti oil fields - upon the huge tasks that lie before humanity in the effort to save itself from destruction. Chernobyl is an international disaster and, as such, it requires an international approach in its solution.

(The President)

The Pledging Conference on Chernobyl, scheduled for 20 September 1991, is a reminder of both international solidarity and international involvement. I am sure that many will be those Member countries which will give tangible evidence of their solidarity.

The environment problem must be a major item on the international agenda, which awaits the input of a revitalized General Assembly.

May I share with members, on this my last occasion to address the Assembly as President, a reflection on the Trusteeship Council. It has served, and is still serving, its purpose under the Charter; the fact that we are welcoming into the General Assembly, tomorrow, two countries - Micronesia and the Marshall Islands - through the Trusteeship Council is a reflection of its relevance, but its very success in bringing to nationhood so many countries and peoples previously under trust has diminished its role. May we suggest that, in addition to its role under the Charter, the Trusteeship Council should hold in trust for humanity humanity's common heritage and its common concerns: the environment; the protection of extraterritorial zones and of the resources of the sea and of the seabed; the climate; and the rights of future generations. These we have to hold in trust for humanity, and the Trusteeship Council may be the right organ for this purpose.

Another dimension of the Assembly's revitalization process lies in an enhanced political input. I am reminded, in this connection, of the distinction which the Assembly's first President, Paul-Henri Spaak, made in his concluding speech in 1946. President Spaak said:

> "I went to Geneva a few times before the war, and I had the impression of being at a meeting of diplomats. Here I have had the distinct impression of being at a meeting of statesmen.

(The President)

"I really do think that we have set up a tentative world parliament. I am not quite sure yet that the system is entirely good, but I must admit that the first attempt which we have witnessed here inspires me with confidence." (Official Records of the General Assembly, 67th Plenary Meeting, p. 1471)

I believe that the work of the Assembly should constitute a blend of political thrust and diplomatic exercise. Over the years, our Assembly has lost its political edge by largely marginalizing the part played by Ministers to that of welcome - but short-stay - honoured guests whose role it is to deliver speeches before quickly departing. In my consultations, I have explored the possibility of greater ministerial involvement in the work of the General Assembly and of creating the opportunity for a more active role to be played by parliamentarians in the work of the Main Committees, perhaps through a better staggering of Assembly meetings over the year.

There is an important aspect which, in my view, requires the constant attention of the Assembly. I refer to the question of the North-South dialogue. Though we may have moved away, in our efforts at economic development of the third-world countries, from the "dismal science" mentality by introducing the "human face" dimension, may we perhaps add to this notion the notion of a face which is both human and honest? We still do not have the equivalent of East-West détente in the North-South relationship. We think that the General Assembly has to have a major, and a clearer, relationship with the Bretton Woods institutions in order to bring in that ingredient which has been lacking in past debates and without which hopes of a breakthrough may fade away.

(The President)

The maintenance of peace and security can be achieved only at this other, dramatic frontier, the war against want. So long as the "poverty curtain" is still there, peace and security are at risk. This fact was brought home to me with unnerving immediacy by a team of United Nations field officials from various agencies during my recent visit to Ghana. There I met over a dozen very dedicated and able professionals who spoke to me enthusiastically about the varied work in which they were involved, the difficulties they faced, and the extensive efforts they had to undertake in order to fulfil their tasks.

Two points which were made to me during the meeting, however, made an impression on me. One was the comment from those attending that it was very rare for them to have the opportunity to speak about their work to a senior representative of the General Assembly. The other was the bitter observation by one of the officials that in spite of the efforts that they were putting in, both individually and collectively, the work of the agencies they represented constituted only a minor input into the development efforts needed in the countries where they were operating.

In my opening statement to the Assembly a year ago, I underlined the human realities behind the statistics with which we are dealing, what it means in terms of human suffering when we say that 1.1 billion people live in extreme poverty, that the number of countries considered as least developed among developing countries rose from 24 in 1971 to 42 in 1990. Clearly, we have a long and difficult road still before us.

It has been a privilege to serve the Assembly and the United Nations during these last 12 months. It has been an honour for my country, Malta, to preside over the Assembly. The cooperation and help which I have received from the delegations here and from their Governments in my visits to various

(The President)

countries, listening and learning, were fundamental for a better evaluation of the aim, purposes and future of the Organization.

I want to thank the Secretary-General for his advice and assistance. His wisdom and his calm diplomacy are an asset to the Organization. I think his stewardship of the United Nations is leaving a hallmark on its future operations.

To Under-Secretary-General Spiers and his dedicated staff, my thanks for helping me preside over the Assembly.

I said that it was a privilege for me to serve the United Nations. It was more than a privilege: it was an experience in the human dimension. When addressing the Conference on Security and Co-operation in Europe, in Moscow a few days ago, this concept of the human dimension reminded me of the genius of Leonardo da Vinci in putting man at the centre of creation, reaching out to discover and understand the universe. It is this human dimension, in its universality, which is the commitment of the United Nations.

The United Nations is a complex organization. The sensitivities of all nations here have to be respected. Realpolitik cannot be ignored. In the economic world miracles do not happen, and in the social field it takes time to heal differences and to bring in new cultures. Yet the United Nations, with all the misgivings and all its mistakes, is fundamental for the cause of progress in the world. It is as powerful and efficient as the member countries want it to be.

But there is an aspect which remains the cornerstone of the Organization: it is the concept of peace. We have to safeguard peace. We have also learned how to defend peace. But peace itself can be negative if born in the acceptance of a denial of human rights, if misery and hunger are

(The President)

the life sentence to which billions of people are condemned. Pandit Nehru, who spent his life suffering for freedom and yearning for peace, said:

"Peace is indivisible; so is freedom. So is prosperity now; so also is disaster in this one world that can no longer be split into isolated fragments."

For the peace that we are striving for, and for which millions have died, is peace in freedom. This is our commitment in the United Nations. This is our shared privilege. This is our common responsibility.

MINUTE OF SILENT PRAYER OR MEDITATION

The PRESIDENT: We are now coming to the end of the forty-fifth regular session of the General Assembly. I invite representatives to stand and observe one minute of silent prayer or meditation.

The members of the General Assembly observed a minute of silent prayer or meditation.

CLOSURE OF THE FORTY-FIFTH SESSION

The PRESIDENT: I declare closed the forty-fifth session of the General Assembly.

The meeting rose at 11.20 a.m.